



Security Council

Distr.
GENERAL

S/23966
19 May 1992

ORIGINAL: ENGLISH

NOTE VERBALE DATED 15 MAY 1992 FROM THE PERMANENT MISSION
OF PORTUGAL TO THE UNITED NATIONS ADDRESSED TO THE
SECRETARY-GENERAL

The Permanent Mission of Portugal to the United Nations presents its compliments to the Secretary-General of the United Nations and, in reply to his note of 3 April 1992, has the honour to report, as the Permanent Mission of the Government currently holding the Presidency of the European Community, on the measures decided by the Community to implement Security Council resolution 748 (1992) of 31 March 1992.

1. The European Community and its member States decided upon an embargo on the sale of arms and military equipment to the Libyan Arab Jamahiriya, as well as upon restrictions to be applied to Libyan diplomatic personnel, in the terms stated in their declarations of 27 January 1986 and 14 April 1986.

2. The European Community adopted Council regulation 945/92 on 14 April 1992, the text of which is annexed to the present note (see annex I). This regulation prohibits in the territory of the Community, inter alia, air traffic to and from the Libyan Arab Jamahiriya, the sale of aircraft components to that country, technical assistance of any sort to Libyan aircraft, payments of insurance claims concerning existing contracts covering Libyan aircraft as well as the conclusion of new contracts of this nature and the operation of all Libyan airlines offices.

3. Furthermore, the European Community and its member States decided to implement, on a national level, measures aiming at the reduction of the number and level of Libyan diplomatic and consular personnel and the restriction of their freedom of movement (see annex II).

4. The member States have taken, on a national basis, appropriate measures to implement the embargo on arms and military equipment. They remain committed to full collaboration with the Committee of the Security Council established under resolution 748 (1992).

Each State member of the European Community will further convey the details on the steps taken at the national level to ensure the effective implementation of Security Council resolutions 731 (1992) and 748 (1992).

Annex I

Council regulation (EEC) No. 945/92 of 14 April 1992 preventing
the supply of certain goods and services to Libya

The Council of the European Communities

Whereas the United Nations Security Council, acting under Chapter VII of the Charter of the United Nations, has decided in its resolution 748 (1992) of 31 March 1992, upon the measures all States have to take against Libya as from 15 April 1992 in order to obtain the compliance of that country with resolution 731 (1992) of 21 January 1992;

Whereas the measures thus taken contain a selective embargo on trade with Libya, including trade based on existing rights or obligations arising before 15 April 1992; whereas in these circumstances, the trade between the Community and Libya, specifically referred to, has to be prevented;

Whereas the Community and its member States, meeting within the framework of political cooperation, have expressed their strong support for the measures decided by the Security Council;

Whereas the Community and its member States have agreed to have recourse to a Community instrument in order to ensure uniform implementation throughout the Community of certain of these measures;

Whereas this regulation should not affect air transport services to the extent that they are justified by significant humanitarian needs;

Having regard to the Treaty establishing the European Economic Community and in particular article 113 thereof,

Having regard to the proposal from the Commission,

Has adopted this regulation:

Article 1

1. Member States shall deny permission to any aircraft to take off from, land in or overfly their territory if the aircraft is destined to land or has taken off from the territory of Libya.
2. Permission shall, however, be granted when the particular flight has been approved on grounds of significant humanitarian need by the Committee set up pursuant to paragraph 9 of resolution 748 (1992) of the United Nations Security Council.

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3. The activities and operation of all Libyan Arab Airlines offices shall be prohibited.

Article 2

It shall be prohibited to supply or provide, directly or indirectly:

- Any aircraft or aircraft components to Libya,
- Any engineering and maintenance servicing of Libyan aircraft or aircraft components,
- Any certification of air-worthiness for Libyan aircraft,
- Payment of new claims against existing insurance contracts for Libyan aircraft,
- Any new direct insurance for Libyan aircraft.

Article 3

Articles 1 and 2 shall apply, notwithstanding any rights or obligations conferred or imposed by any international agreement or any contracts entered into or any licence or permit granted before 15 April 1992.

Article 4

This regulation shall apply to activities, carried out in or from the territory of the Community, including its airspace or by means of aircraft or ships flying the flag of a member State or by any national of the Community.

Article 5

This regulation shall enter into force on the day of its publication in the Official Journal of the European Community.

This regulation shall be binding in its entirety and directly applicable in all member States.

Done at Brussels, 14 April 1992

(Published in the Official Journal of the European Community on 15 April 1992.)

Annex II

[Original: French]

Note verbale

The Directorate-General for External Relations - Protocol - presents its compliments to the Mission of the Socialist People's Libyan Arab Jamahiriya to the European Economic Community and has the honour to inform it of the following:

Pursuant to resolution 748 (1992), para. 6 (a), of the Security Council of the United Nations, and in accordance with the provisions adopted by the Member States of the Community with regard to the personnel of the embassies of Libya in the Member States, the Commission hereby informs the Mission of Libya that as of today's date it may not have more than one diplomat, in addition to the Chief of Mission.

Moreover, this diplomat must comply with the provisions established by the Belgian authorities for the personnel of the Embassy of Libya at Brussels with regard to freedom of movement and of travel.
